



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

July 22, 1998

Ms. Jennifer D. Soldano
Associate General Counsel
Texas Department of Transportation
Dewitt C. Greer State Highway Building
125 East 11th Street
Austin, Texas 78701-2483

OR98-1728

Dear Ms. Soldano:

You ask this office to reconsider our ruling in Open Records Letter No. 98-1029 (1998). Your request for reconsideration was assigned ID# 116897.

The Texas Department of Transportation (the "department") received several requests from the same individual for various categories of information "in regard to all aspects relating to the Video Imaging Vehicle Detection System (VIVDS)." In Open Records Letter No. 98-1029 (1998), this office concluded in part that the department could not withhold certain information relating to Paradigm Traffic Systems, Inc. ("Paradigm") because Paradigm did not explain why the information was protected under section 552.110 of the Government Code. *See* Gov't Code § 552.305; Open Records Decision No. 542 (1990). In your request for reconsideration, you have provided a letter from Paradigm arguing that the information is protected under section 552.110. You ask that we determine whether Paradigm has sufficiently explained why its information should be withheld.

We have reviewed Paradigm's arguments for withholding the information. We do not believe that Paradigm has sufficiently explained the applicability of section 552.110 to its information. Therefore, we affirm Open Records Letter No. 98-1029 (1998) and the information regarding Paradigm must be released in its entirety.

If you have questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in cursive script, reading "Kay Hastings", is positioned above the typed name.

Kay Hastings
Deputy Chief
Open Records Division

KHH/mjc

Ref.:ID# 116897

cc: Mr. William C. Schaad
President
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